

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SELDA UMEROSKI,

Plaintiff,

-against-

NOWAB HOTELS, CORP. and
JASIVE JAVAID,

Defendants.

Docket No. 07 CIV 10328 (CLB)

**PLAINTIFF'S ANSWER TO
DEFENDANTS' COUNTERCLAIMS**

ECF Case

Plaintiff, SELDA UMEROSKI, by her attorneys, Foulke Law Offices, as and for her Answer to the counterclaim of defendants Nowab Hotels, Corp. and Asif Javaid, alleges as follows:

1. Plaintiff admits the allegations in defendants' counterclaim contained in paragraphs 2, 6, 7, 8, 11 and 12.
2. Plaintiff denies the allegations in defendants' counterclaim alleged in paragraphs 1, 3, 5, 10, 13, 15, 16, 17, 18, 19, 20 and 21.
3. Plaintiff denies the allegations contained in paragraph 4 of defendants' counterclaim, except denies knowledge and information sufficient to form a belief as to whether Christopher Brown intended to set up a meeting with Javaid before plaintiff resigned her position.
4. Plaintiff denies the allegations contained in paragraph 9 of defendants' counterclaim, except that admits that defendant Nowab, by the controller, asked plaintiff to sign documents as a condition to the receipt of her final paycheck.
5. Plaintiff denies knowledge and information sufficient to form a belief as to the allegations in paragraph 14 of defendants' counterclaim, except admits that plaintiff did not complain of defendant Javaid's sexual harassment on the night of the February 2007 party.

FIRST AFFIRMATIVE DEFENSE

6. Plaintiff only seeks to impose liability on individual defendant Asif Javaid, sued herein as Jasive Javaid, under plaintiff's ancillary New York State Human Rights Law claims and not under Title VII.

7. Plaintiff's claims were not brought to harass defendants but rather to recover in fairness for the damages she has suffered and other relief she is entitled to under Title VII and the New York State Human Rights Law.

SECOND AFFIRMATIVE DEFENSE

8. Plaintiff's contentions are not frivolous and are warranted under Title VII and the New York State Human Rights Law.

9. Defendants counterclaim for Rule 11 sanctions is frivolous.

WHEREFORE, plaintiff demands judgment dismissing defendants' counterclaim, sanctions pursuant to Rule 11 for making a frivolous counterclaim, fees and costs, together with any other relief which this Court may deem just and equitable.

Dated: Goshen, New York
January 17, 2008

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